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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION

No. 2:15-MD-02641 -DGC

Christine Ann Bisesi

Plaintiff

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C.R. Bard, Inc., and Bard Peripheral Vascular Inc.

**FIRST AMENDED COMPLAINT –
SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS AND
DEMAND FOR JURY TRIAL**

Defendants

Plaintiff named below, for her Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff further shows the Court as follows:

1. Plaintiff/Deceased Party:

Christine Ann Bisesi

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1 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
2 consortium claim:

3 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
4 conservator):

5 N/A

6 4. Plaintiff's/Deceased Party's state of residence at the time of implant:

7 Ohio

8 5. Plaintiff's/Deceased Party's state of residence at the time of injury:

9 Ohio

10 6. Plaintiff's current state of residence:

11 Ohio

12 7. District Court and Division in which venue would be proper absent direct filing:

13 Southern District of Ohio

14 8. Defendants (check Defendants against whom Complaint is made):

15 C.R. Bard Inc.

16 Bard Peripheral Vascular, Inc.

17 9. Basis of Jurisdiction:

18 Diversity of Citizenship

19 Other: _____

20 a. Other allegations of jurisdiction and venue not expressed in Master

21 Complaint:

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3 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
4 claim (Check applicable Inferior Vena Cava Filter(s)):

- 5 Recovery® Vena Cava Filter
6 G2® Vena Cava Filter
7 G2® Express Vena Cava Filter
8 G2® X Vena Cava Filter
9 Eclipse® Vena Cava Filter
10 Meridian® Vena Cava Filter
11 Denali® Vena Cava Filter
12 Other: _____

13 11. Date of Implantation as to each product:

14 November 23, 2006

15 12. Counts in the Master Complaint brought by Plaintiff(s):

- 16 Count I: Strict Products Liability – Manufacturing Defect
17 Count II: Strict Products Liability – Information Defect (Failure to
18 Warn)
19 Count III: Strict Products Liability – Design Defect
20 Count IV: Negligence - Design
21 Count V: Negligence - Manufacture

- 1 Count VI: Negligence – Failure to Recall/Retrofit
2 Count VII: Negligence – Failure to Warn
3 Count VIII: Negligent Misrepresentation
4 Count IX: Negligence *Per Se*
5 Count X: Breach of Express Warranty
6 Count XI: Breach of Implied Warranty
7 Count XII: Fraudulent Misrepresentation
8 Count XIII: Fraudulent Concealment
9 Count XIV: Violations of Applicable Ohio Law Prohibiting Consumer
10 Fraud and Unfair and Deceptive Trade Practices
11 Count XV: Loss of Consortium
12 Count XVI: Wrongful Death
13 Count XVII: Survival
14 Punitive Damages
15 Other(s): _____ (please state the facts supporting
16 this Count in the space immediately below)
17 _____
18 _____
19 _____

20 13. Jury Trial demanded for all issues so triable?

- 21 Yes
22 No

1 RESPECTFULLY SUBMITTED this 8th day of July, 2016.
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JOHNSON BECKER, PLLC

4 By /s/ Michael K. Johnson
5 Michael K. Johnson, Esq.
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17 *Attorneys for Plaintiff*
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

17 */s/Michael K. Johnson*
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